

Marc A. Levinson (California Bar No. 57613)
 Jeffery D. Hermann (California Bar No. 90445)
 ORRICK, HERRINGTON & SUTCLIFFE LLP
 400 Capitol Mall, Suite 3000
 Sacramento, California 95814-4497
 Telephone: (916) 447-9200
 Facsimile: (916) 329-4900
 Email: malevinson@orrick.com
jhermann@orrick.com

Bob L. Olson (Nevada Bar No. 3783)
 Anne M. Loraditch (Nevada Bar No. 8164)
 BECKLEY SINGLETON, CHARTERED
 530 Las Vegas Boulevard South
 Las Vegas, Nevada 89101
 Telephone: (702) 385-3373
 Facsimile: (702) 385-5024
 Email: bolson@beckleylaw.com
aloraditch@beckleylaw.com

*Attorneys for the Official Committee of Equity Security Holders of
 USA Capital Diversified Trust Deed Fund, LLC*

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
 Case No. BK-S-06-10725-LBR

Affects:

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

**NOTICE OF ENTRY OF ORDER
 APPROVING ORRICK,
 HERRINGTON & SUTCLIFFE,
 LLP'S FINAL FEE
 APPLICATION (JUNE 1, 2006
 THROUGH MARCH 12, 2007)**

Hearing Date: August 7, 2007
 Hearing Time: 1:30 p.m.

BECKLEY SINGLETON, CHTD.

*Attorneys for USA Capital Diversified Trust Deed
Fund, LLC*



Entered on Docket
August 13, 2007

Hon. Linda B. Riegle
United States Bankruptcy Judge

Marc A. Levinson (California Bar No. 57613)
Jeffery D. Hermann (California Bar No. 90445)
ORRICK, HERRINGTON & SUTCLIFFE LLP
400 Capitol Mall, Suite 3000
Sacramento, California 95814-4497
Telephone: (916) 447-9200
Facsimile: (916) 329-4900
Email: malevinson@orrick.com
jhermann@orrick.com

Bob L. Olson (Nevada Bar No. 3783)
Anne M. Loraditch (Nevada Bar No. 8164)
BECKLEY SINGLETON, CHARTERED
530 Las Vegas Boulevard South
Las Vegas, Nevada 89101
Telephone: (702) 385-3373
Facsimile: (702) 385-5024
Email: bolson@beckleylaw.com
aloraditch@beckleylaw.com

*Attorneys for the Official Committee of Equity Security Holders of
USA Capital Diversified Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
USA CAPITAL FIRST TRUST DEED FUND,
LLC,
USA SECURITIES, LLC,
Debtors.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
Case No. BK-S-06-10725-LBR

Affects:

- ☐ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☐ USA First Trust Deed Fund, LLC

**ORDER APPROVING ORRICK,
HERRINGTON & SUTCLIFFE,
LLP'S FINAL FEE APPLICATION
(JUNE 1, 2006 THROUGH MARCH
12, 2007)**

Hearing Date: August 7, 2007
Hearing Time: 1:30 p.m.

1 The Court, having reviewed and considered Orrick, Herrington & Sutcliffe LLP's Final Fee
2 Application (June 1, 2006 through March 12, 2007) [Docket no. 3577] (the "Application"), seeking an
3 Order from this Court authorizing on a final basis the allowance and payment of fees, in the amount of
4 \$2,228,780.60, for professional services rendered by Orrick, Herrington & Sutcliffe LLP ("Orrick"),
5 lead counsel to the Official Committee of Equity Security Holders of USA Capital Diversified Trust
6 Deed Fund, LLC, and the reimbursement of expenses paid by Orrick, in the amount of \$42,914.58, for
7 a total compensation award of \$2,271,695.18 in the above-captioned case, the Declaration of Robert G.
8 Worthen [Docket No. 3580] and the Declaration of Marc A. Levinson [Docket No. 3597], filed in
9 support of the Application, the Supplement to Orrick, Herrington & Sutcliffe LLP's Final Fee
10 Application (June 1, 2006 through March 12, 2007) [Docket no. 3882], by which Orrick voluntarily
11 reduced its fees by two percent (2%), or \$44,575.60, and modified its request for an Order from the
12 Court thereby seeking the allowance and payment of fees, in the total amount of \$2,184,204.90, and
13 reimbursement of expenses paid by Orrick, in the amount of \$42,914.58, for a total compensation
14 award of \$2,227,119.48 in this case on a final basis; Marc A. Levinson, appearing on behalf of Orrick,
15 August B. Landis, appearing on behalf of the Office of the United States Trustee, and other
16 appearances as noted on the record at the hearing referenced above; the Court having made its findings
17 of fact and conclusions of law on the record, which are incorporated herein pursuant to Fed.R.Bankr.P.
18 7052; with no objection to the Application having been filed; and for good cause shown therefor,

19 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the fees Orrick
20 incurred, in the amount of \$2,184,204.90, and the expenses Orrick paid, in the amount of
21 \$42,914.58, are allowed on a final basis for a total compensation award in the amount of
22 \$2,227,119.48 (the "Final Award").

23 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that USA Capital
24 Diversified Trust Deed Fund, LLC, is authorized to pay the Final Award to Orrick immediately
25 upon entry of this order.

26 ///

27 ///

28 ///

1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2 **ORRICK, HERRINGTON & SUTCLIFFE LLP**

3 By: /s/ Marc A. Levinson

4 Marc A. Levinson (California Bar No. 57613)

5 Jeffery D. Hermann (California Bar No. 90445)

6 400 Capitol Mall, Suite 3000

7 Sacramento, California 95814-4497

8 *Attorneys for the Official Committee of Equity Security*

9 *Holders of USA Capital Diversified Trust Deed Fund, LLC*

10 **APPROVED/DISAPPROVED:**

11 OFFICE OF THE UNITED STATES TRUSTEE

12 By: /s/ August B. Landis

13 August B. Landis

14
15 **LOCAL RULE 9021 CERTIFICATION**

16 In accordance with LR 9021, the undersigned certifies:

17 ☐ The court has waived the requirement of approval under LR 9021.

18 ☒ I have delivered a copy of this proposed order to the Office of the United States Trustee and
19 the parties who filed papers in response to the Objection or appeared at the hearing noted
20 above, and each has:

21 ☒ approved the form of this order; and/or

22 ☐ waived the right to review the order; and/or

23 ☐ failed to file and serve papers in accordance with LR 9021(b); and
24 the following have disapproved the form of the order:

25 n/a

26 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

27 **BECKLEY SINGLETON, CHARTERED**

28 By: /s/ Anne M. Loraditch

Anne M. Loraditch (Nevada Bar No. 8164)

530 Las Vegas Boulevard South

Las Vegas, Nevada 89101

###